

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

VOLTERRA SEMICONDUCTOR )  
LLC, )  
 )  
 Plaintiff, ) **Redacted - Public Version**  
 )  
 v. ) C.A. No. 19-2240-CFC-SRF  
 )  
 MONOLITHIC POWER SYSTEMS, )  
 INC., )   
 )  
 )  
 )  
 Defendant. )

**DEFENDANT MONOLITHIC POWER SYSTEMS, INC'S RESPONSE TO  
PLAINTIFF VOLTERRA SEMICONDUCTOR LLC'S CONCISE  
STATEMENT OF FACTS FOR MONOLITHIC POWER SYSTEM'S  
MOTION FOR SUMMARY JUDGMENT NO. 2 (NO INDUCED OR  
WILLFUL INFRINGEMENT FOR THE '408 AND '955 PATENTS)**

OF COUNSEL:  
Bob Steinberg  
LATHAM & WATKINS LLP  
10250 Constellation Blvd., Suite 1100  
Los Angeles, CA 90067  
(424) 653-5500

Matthew J. Moore  
LATHAM & WATKINS LLP  
555 Eleventh Street, NW, Suite 1000  
Washington, DC 20004  
(202) 637-2200

Karen E. Keller (No. 4489)  
Andrew E. Russell (No. 5382)  
Nathan R. Hoeschen (No. 6232)  
SHAW KELLER LLP  
I.M. Pei Building  
1105 North Market Street, 12th Floor  
Wilmington, DE 19801  
(302) 298-0700  
kkeller@shawkeller.com  
arussell@shawkeller.com  
nhoeschen@shawkeller.com  
*Attorneys for Defendant*

Lionel M. Lavenue  
FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, LLP  
Two Freedom Square  
Reston, VA 20190-5675  
(571) 203-2750

Surendra K. Ravula  
LATHAM & WATKINS LLP  
330 North Wabash Avenue, Suite 2800  
Chicago, IL 60611  
(312) 876-6555

R. Benjamin Cassady  
Forrest A. Jones  
Chen Zang  
Bradford C. Schulz  
FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, LLP  
901 New York Avenue, NW  
Washington, DC 20001-4413  
(202) 408-4000

Dated: January 7, 2022

**EXHIBITS TABLE**

<b>Exhibit</b>	<b>Description</b>	<b>Pages</b>
Exhibit 31	Deposition Transcript of R. Samsi	154-161

**DEFENDANT'S RESPONSES TO VOLTERRA'S ADDITIONAL  
STATEMENT OF DISPUTED FACTS**

21. Admitted as to the date of the dissertation and the citations. However, Volterra has not identified any evidence demonstrating that Dr. Zhou had knowledge of the pending parent application that produced the '955 and '408 patents. D.I. 281-20, 166:20-24; 168:03-05. Dr. Zhou's dissertation contains no explicit citation to either the '955 or '408 patents. *See* D.I. 281-19, MAXIM\_11507-11516. MPS cannot admit or deny whether the figure referenced was copied from the patent application.

22. Disputed as to the timing and testimony mischaracterization. Dr. Zhou noted in his testimony he would have to "turn back the time by 15 or 16 years" before agreeing to the statement that he "would have expected [his] younger self to investigate the origin of the figures." D.I. 307-06, 126:13-14.

23. Disputed due to mischaracterization of the timeline. Dr. Zhou discussions with [REDACTED] took place over a decade after Dr. Zhou wrote his dissertation in 2005. *See* D.I. 281-19, MAXIM\_11320. Furthermore, Volterra has not identified any evidence demonstrating that Dr. Zhou had knowledge of or discussed the '955 or '408 patents specifically with any third party.

24. Admitted.

25. Admitted, although immaterial to the subject of this motion.

26. MPS admits that Mr. Rohan Samsi learned of Volterra's coupled inductor patents through customers and articles, and that Mr. Samsi understood Volterra's patents to cover only " [REDACTED]" MPS also admits that Mr. Samsi encountered inquiries from certain parties regarding Volterra's patents during the period in which MPS was pitching coupled inductor solutions. The rest is denied and Mr. Samsi did not recall discussing any of Volterra's patents specifically either with [REDACTED] . See D.I. 307-07, 115:13-18; 140:20-25.

27. Admitted, but Delta's full quote is " [REDACTED]" [REDACTED]  
[REDACTED]  
[REDACTED] .” D.I. 307-

08 at DAL0000001-004

28. Admitted, but MPS notes that these discussions were regarding Volterra's patents generally and Volterra has identified no evidence demonstrating that the '955 or '408 patents were specifically discussed.

29. Disputed. [REDACTED] email on December 11, 2018 referenced only "item 17" (i.e., claim 17) of the '986 patent and not the '986 patent in its entirety. See D.I. 307-08 at DAL0000001-004.

30. Admitted, but Mr. Samsi also stated that [REDACTED] contact with MPS) did not mention “specifically which [Volterra] patent” he had concerns about. *See* D.I. 307-07, 115:13-18.

31. Admitted.

32. Disputed due to mischaracterization. Mr. Samsi’s testimony was that [REDACTED]

[REDACTED] D.I. 307-07, 60:20-24. Mr. Samsi explicitly noted that MPS encourages its employees to “[REDACTED] [REDACTED].” *Id.*, 60:25-61:09. And Mr. Samsi testified that MPS’s policy to its employees was: “[REDACTED] [REDACTED].” *Id.*, 144:20-145:03.

33. Admitted.

34. Disputed due to mischaracterization. Mr. Samsi clarified in his deposition that he was unsure whether MPS’s in-house counsel, Mr. Roland Tso, reviewed “a bunch of patents” or “a bunch of prior art references.” *See* Ex. 31, 158:05-23 (“whether [Mr. Tso] looked at one or more, frankly, I don’t know.”)

35. Admitted as of today, but MPS cannot confirm whether the page contained the “cited by” section at the time of Mr. Tso’s search. MPS further contends that this is immaterial to the motion at-issue.

36. Admitted, but Dr. Abou-Alfotouh testified immediately afterwards that Dawson Huang did not refer to any specific patents from Volterra or Maxim and that he did not recall whether Dawson referred to patents in the plural. D.I. 307-15, 93:23-94:02.

37. Admitted, but both Volterra's witness (Mr. Rizwan Khalid) and NVIDIA's witness (Dr. Ahmed Abou-Alfotouh) could not recall if anything was done after NVIDIA received the information and email regarding Volterra's IP—such as further communicating with MPS. D.I. 281-15, 30:01-05; D.I. 281-17, 194:20-24.

38. Disputed. Dr. Abou-Alfotouh's email stating that he was "very concerned" was in response to question regarding claim 17 of the '986 patent specifically. *See* D.I. 307-18. Furthermore, Mr. Samsi's testimony stated that the email was concerned about "the coupled inductor patents or...that we might be infringing" and that he did not recall discussing the patents specifically with Dr. Abou-Alfotouh. D.I. 307-07, 140:11-25.

39. Disputed as to the accuracy of the statement and admissibility as hearsay. Furthermore, the referenced text conversation does not mention the '408 or '955 patents. D.I. 281-15, 25:9-17; 33:7-38:7; D.I. 281-16.

40. Admitted.

41. Admitted.

42. Admitted.

43. Admitted, but immaterial as to the subject of this motion.

/s/ Nathan R. Hoeschen

Karen E. Keller (No. 4489)

Andrew E. Russell (No. 5382)

Nathan R. Hoeschen (No. 6232)

SHAW KELLER LLP

I.M. Pei Building

1105 North Market Street, 12th Floor

Wilmington, DE 19801

(302) 298-0700

[kkeller@shawkeller.com](mailto:kkeller@shawkeller.com)

[arussell@shawekeller.com](mailto:arussell@shawekeller.com)

[nhoeschen@shawkeller.com](mailto:nhoeschen@shawkeller.com)

*Attorneys for Defendant*

OF COUNSEL:

Bob Steinberg

LATHAM & WATKINS LLP

10250 Constellation Blvd., Suite 1100

Los Angeles, CA 90067

(424) 653-5500

Matthew J. Moore

LATHAM & WATKINS LLP

555 Eleventh Street, NW, Suite 1000

Washington, DC 20004

(202) 637-2200

Lionel M. Lavenue

FINNEGAN, HENDERSON, FARABOW,

GARRETT & DUNNER, LLP

Two Freedom Square

Reston, VA 20190-5675

(571) 203-2750

Surendra K. Ravula

LATHAM & WATKINS LLP

330 North Wabash Avenue, Suite 2800

Chicago, IL 60611

(312) 876-6555

R. Benjamin Cassady  
Forrest A. Jones  
Chen Zang  
Bradford C. Schulz  
FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, LLP  
901 New York Avenue, NW  
Washington, DC 20001-4413  
(202) 408-4000

Dated: January 7, 2022

**CERTIFICATE OF COMPLIANCE**

Pursuant to the Court's November 6, 2019 Standing Order, I hereby confirm that this brief complies with the type and number limitations set forth in the Standing Order. I certify that this document contains 811 words, which were counted using the word count feature in Microsoft Word, in 14-point Times New Roman font. The word count does not include the cover page, tables, or the counsel blocks.

*/s/ Nathan R. Hoeschen*

Karen E. Keller (No. 4489)

Andrew E. Russell (No. 5382)

Nathan R. Hoeschen (No. 6232)

SHAW KELLER LLP

I.M. Pei Building

1105 North Market Street, 12th Floor

Wilmington, DE 19801

(302) 298-0700

[kkeller@shawkeller.com](mailto:kkeller@shawkeller.com)

[arussell@shawkeller.com](mailto:arussell@shawkeller.com)

[nhoeschen@shawkeller.com](mailto:nhoeschen@shawkeller.com)

*Attorneys for Defendant*

**CERTIFICATE OF SERVICE**

I, Nathan R. Hoeschen, hereby certify that on January 7, 2022, this document was served on the persons listed below in the manner indicated:

**BY EMAIL**

Robert M. Oakes  
FISH & RICHARDSON P.C.  
222 Delaware Avenue, 17th Floor  
P.O. Box 1114  
Wilmington, DE 19899  
(302) 652-5070  
rmo@fr.com

David M. Barkan  
FISH & RICHARDSON P.C.  
500 Arguello Street, Suite 500  
Redwood City, CA 94063  
(650) 839-5070  
barkan@fr.com

Aaron P. Pirouznia  
Noel F. Chakkalakal  
FISH & RICHARDSON P.C.  
1717 Main Street, Suite 5000  
Dallas, TX 75201  
(214) 747-5070  
pirouznia@fr.com  
chakkalakal@fr.com

*/s/ Nathan R. Hoeschen*

Karen E. Keller (No. 4489)  
Andrew E. Russell (No. 5382)  
Nathan R. Hoeschen (No. 6232)  
SHAW KELLER LLP  
I.M. Pei Building  
1105 North Market Street, 12th Floor  
Wilmington, DE 19801  
(302) 298-0700  
kkeller@shawkeller.com  
arussell@shawkeller.com  
nhoeschen@shawkeller.com  
*Attorneys for Defendant*